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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RICO FERRO and ANGELINA S. FERRO,

07 Civ. 4853 (VM)

Plaintiffs,

v.

**CIVIL CASE MANAGEMENT PLAN
AND SCHEDULING ORDER**

SHUTTLE AMERICA CORPORATION, d/b/a
UNITED EXPRESS and REPUBLIC AIRWAYS
HOLDINGS, INC.,

Defendants.
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This Scheduling Order and Case Management Plan is adopted in accordance with Fed. R. Civ. P. 16-26(f).

1. This case is to be tried to a jury.
2. Joinder of additional partes to be completed by December 3, 2007.
3. Amended pleadings may be filed without leave of the Court until December 3, 2007.
4. Initial disclosure pursuant to Fed. R. Civ. P. 26(a)(1) to be completed within fourteen (14) days of the date of the parties' conference pursuant to rule 26(f), specifically by not later than October 31, 2007.
5. All fact discovery is to be completed within one hundred twenty (120) days of the date of this Order, specifically by not later than February 19, 2008.
6. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court, provided the parties are certain that they can still meet the discovery completion date ordered by the Court.
 - a. Initial requests for production of documents to be served by November 9, 2007.
 - b. Initial interrogatories to be served by all parties by November 9, 2007.
 - c. Depositions to be completed by February 19, 2008.
 - i. Unless the parties agree or the Court so orders, depositions are not to be held until the parties have responded to initial requests for document production.
 - ii. Depositions of all parties shall proceed during the same time.
 - iii. Unless the parties agree or the Court so orders, non-party depositions shall follow party depositions when possible.
 - d. Any additional contemplated discovery activities and the anticipated completion date: February 19, 2008.

- e. Requests to Admit to be served no later than January 18, 2008.
7. All expert discovery (ordinarily conducted following the completion of fact discovery) including parties' expert reports and depositions, witness lists and identification of documents pursuant to Fed. R. Civ. P. 26(a)(2), (3) and 35(b), is to be completed by:
- Deadline for Plaintiffs to serve expert reports: April 5, 2008
Deadline for Defendants to serve expert reports: May 21, 2008
Deadline for Plaintiffs to serve rebuttal expert reports: May 31, 2008
Deadline for Defendants to serve rebuttal expert reports: June 11, 2008
Deadline to complete depositions of Plaintiffs' experts: July 11, 2008
Deadline to complete depositions of Defendants' experts: August 10, 2008
8. Contemplated motions:
- a. Plaintiff: None at this time, other than motions-in-limine.
b. Defendants: None at this time, other than motions-in-limine.
9. Following all discovery, all counsel must meet for at least one hour to discuss settlement, such conference to be held by not later than August 15, 2008.
10. Do all parties consent to trial by a Magistrate Judge under 28 U.S.C. § 636(c)?
- Yes _____ No X

TO BE COMPLETED BY THE COURT:

11. The next Case Management Conference is scheduled for 3-27-08 at 2:30 p.m.

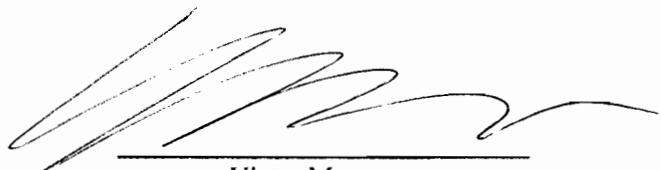
In the event the case is to proceed to trial, a firm trial date and the deadline for submission of the Joint Pretrial Order and related documents shall be scheduled at the pretrial conference following either the completion of all discovery or the Court's ruling on any dispositive motion.

The Joint Pretrial Order should be prepared in accordance with Judge Marrero's Individual Practices. If this action is to be tried before a jury, proposed voir dire and jury instructions shall be filed with the Joint Pretrial Order. No motion for summary judgment shall be served after the deadline fixed for the Joint Pretrial Order.

SO ORDERED:

Dated: New York, New York

19 October 2007



Victor Marrero
U.S. D.J.